MONTANA LEGISLATIVE HISTORY

Chapter 217 19 89

Bill H 124 S _____ Original bill & history ✓ C

H. Committee on State Admin			S. Committee on State Admin		
Hearing Date(s)	1-19	✓ C	Hearing Date(s)	3-8	✓ C
		C			C
		C			C
		C			C
Date Out		C			

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

1/12	REFERRED TO JUDICIARY		
1/25	HEARING		
1/25	COMMITTEE REPORT--BILL PASSED		
1/27	2ND READING PASSED	94	5
1/30	3RD READING PASSED	95	3
	TRANSMITTED TO SENATE		
1/31	REFERRED TO JUDICIARY		
2/06	HEARING		
2/09	COMMITTEE REPORT--BILL CONCURRED AS AMENDED		
2/11	2ND READING CONCURRED	40	2
2/14	3RD READING CONCURRED	44	3
	RETURNED TO HOUSE WITH AMENDMENTS		
2/28	2ND READING AMENDMENTS CONCURRED	94	0
3/01	3RD READING AMENDMENTS CONCURRED	96	0
3/06	SIGNED BY SPEAKER		
3/06	SIGNED BY PRESIDENT		
3/07	TRANSMITTED TO GOVERNOR		
3/11	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 66 EFFECTIVE DATE: 10/01/89		

HB 124 INTRODUCED BY CLARK, ET AL.
SUBSTITUTE "PATROL OFFICER" FOR "PATROLMAN" THROUGH MCA
BY REQUEST OF DEPARTMENT OF JUSTICE

1/11	INTRODUCED		
1/12	REFERRED TO STATE ADMINISTRATION		
1/19	HEARING		
1/19	COMMITTEE REPORT--BILL PASSED		
1/21	2ND READING PASSED	86	6
1/24	3RD READING PASSED	87	11
	TRANSMITTED TO SENATE		
1/25	REFERRED TO STATE ADMINISTRATION		
3/08	HEARING		
3/08	COMMITTEE REPORT--BILL CONCURRED		
3/09	2ND READING CONCURRED	49	0
3/11	3RD READING CONCURRED	43	0
	RETURNED TO HOUSE		
3/17	SIGNED BY SPEAKER		
3/17	SIGNED BY PRESIDENT		
3/18	TRANSMITTED TO GOVERNOR		
3/22	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 217 EFFECTIVE DATE: 10/01/89		

HB 125 INTRODUCED BY HARRINGTON, ET AL.
REVISE PROPERTY TAX FREEZE--INFLATION, MANDATED COSTS, VOTED CHANGE

1/11	INTRODUCED
1/12	REFERRED TO TAXATION
1/12	FISCAL NOTE REQUESTED
1/18	FISCAL NOTE RECEIVED
1/20	HEARING
1/20	FISCAL NOTE PRINTED
3/10	TABLED IN COMMITTEE

HOUSE BILL NO. 124

INTRODUCED BY CLARK, MAZUREK

IN THE HOUSE

JANUARY 11, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
JANUARY 12, 1989	FIRST READING.
JANUARY 19, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 20, 1989	PRINTING REPORT.
JANUARY 21, 1989	SECOND READING, DO PASS.
JANUARY 23, 1989	ENGROSSING REPORT.
JANUARY 24, 1989	THIRD READING, PASSED. AYES, 87; NOES, 11.
	TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 25, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
	FIRST READING.
MARCH 8, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 9, 1989	SECOND READING, CONCURRED IN.
MARCH 11, 1989	THIRD READING, CONCURRED IN. AYES, 43; NOES, 0.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 11, 1989

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

HOUSE BILL NO. 124

INTRODUCED BY [signature]

A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE CODE COMMISSIONER TO CHANGE ANY REFERENCE TO THE TERM "PATROLMAN" TO "PATROL OFFICER" WHEREVER IT APPEARS IN THE MONTANA CODE ANNOTATED; AND AMENDING SECTIONS 2-15-1891, 7-3-1343, 7-3-4465, 7-32-103, 7-32-105, 7-32-106, 7-32-303, 15-24-203, 15-30-136, 15-70-311, 15-71-102, 17-6-203, 19-1-104, 19-1-301, 19-3-509, 19-6-101, 19-6-102, 19-6-305, 19-6-401, 19-6-404, 19-6-405, 19-6-505, 19-6-601, 19-6-707, 19-7-309, 19-8-306, 19-9-405, 19-13-404, 25-1-1104, 37-60-101, 44-1-105, 44-1-301, 44-1-303, 44-1-401, 44-1-402, 44-1-404, 44-1-503, 44-1-518, 44-1-601, 44-1-611, 44-1-705, 44-1-801, 44-1-803 THROUGH 44-1-806, 44-1-901, 44-1-903, 44-1-1001 THROUGH 44-1-1004, 44-1-1101 THROUGH 44-1-1103, 61-1-305, 61-1-407, 61-3-434, 61-5-116, 61-5-121, 61-6-112, 61-6-302, 61-8-105, 61-8-201, 61-8-344, 61-8-346, 61-8-349, 61-8-354, 61-8-705, 61-9-105, 61-12-701, 75-10-233, 76-13-601, 81-3-211, AND 81-3-231, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Name change -- short form amendment.** Wherever it appears in 2-15-1891, 7-3-1343, 7-3-4465, 7-32-103, 7-32-105, 7-32-106, 7-32-303, 15-24-203, 15-30-136, 15-70-311, 15-71-102, 17-6-203, 19-1-104, 19-1-301, 19-3-509, 19-6-101, 19-6-102, 19-6-305, 19-6-401, 19-6-404, 19-6-405, 19-6-505, 19-6-601, 19-6-707, 19-7-309, 19-8-306, 19-9-405, 19-13-404, 25-1-1104, 37-60-101, 44-1-105, 44-1-301, 44-1-303, 44-1-401, 44-1-402, 44-1-404, 44-1-503, 44-1-518, 44-1-601, 44-1-611, 44-1-705, 44-1-801, 44-1-803 through 44-1-806, 44-1-901, 44-1-903, 44-1-1001 through 44-1-1004, 44-1-1101 through 44-1-1103, 61-1-305, 61-1-407, 61-3-434, 61-5-116, 61-5-121, 61-6-112, 61-6-302, 61-8-105, 61-8-201, 61-8-344, 61-8-346, 61-8-349, 61-8-354, 61-8-705, 61-9-105, 61-12-701, 75-10-233, 76-13-601, 81-3-211, and 81-3-231 or in law enacted by the 51st legislature, the code commissioner is directed to change the term "patrolman", "patrolman's", "patrolmen", or "patrolmen's" to "patrol officer", "patrol officer's", "patrol officers", or "patrol officers'".

-End-

INTRODUCED BILL
HB 124

Form CS-32
Rev. 1985

STATUS SHEET

51st LEGISLATIVE SESSION

State Administration COMMITTEE

BILL NUMBER	ENTERED COM. DATE	DATE CONSIDERED	OUT OF COM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMENDED DATE	DO NOT PASS AS AMENDED DATE	BE CONCURRED IN DATE	BE NOT CONCURRED IN DATE	BE CONCURRED IN AMENDED DATE	BE NOT CONCURRED IN AS AMENDED DATE
HB 144	1-13-89	1-19-89	1-19-89	Cons.Cal. 1-19-89							
HB 124	1-12-89	1-19-89	1-19-89	1-19-89							
HB 128	1-12-89	1-20-89	1-25-89			1-25-89					
HB 159	1-16-89	1-26-89	1-26-89	1-26-89							
HB 167	1-16-89	1-20-89	1-20-89	1-20-89							
HB 171	1-16-89	1-31-89	2-07-89			2-07-89					
HB 207	1-17-89	1-27-89	1-31-89			1-31-89					
HB 210	1-17-89	1-27-89	2-01-89	2-01-89							
HB 216	1-17-89	1-24-89	1-24-89	1-24-89							
HB 219	1-17-89	1-25-89	1-25-89	1-25-89							
HB 226	1-17-89	1-26-89	1-26-89	1-26-89							
HB 234	1-17-89	1-25-89	2-25-89	2-25-89							
HB 235	1-17-89	1-25-89	1-27-89			Cons.Cal.. 1-27-89					
HB 84	1-17-89	1-18-89	1-18-89			1-18-89					

Use a separate sheet for Senate Bills, House Bills, and Resolutions.

JOHN NORTHLY, proponent, said the Public Records Management Act, which was enacted in 1977, was an attempt to establish standard procedures for records retention and destruction. He said he didn't know why a representative for the Secretary of States Office was not placed on the committee in 1977. The Records Committee and the Secretary of States Office have not seen eye-to-eye in the past. There has been some difference in direction as far as centralizing procedures. He thinks HB 144 would be a step in alleviating the problems that have been experienced in the past. He said that he believes having a representative of the Secretary of State on the committee would be advantageous.

Questions From Committee Members:

None

Closing by Sponsor:

Rep. Nelson said HB 144 is a fairly innocuous bill and it would only aid in good government and she would appreciate a do pass.

DISPOSITION OF HB 144

Motion: Rep. Squires moved DO PASS.

Discussion: None

Amendments and Votes: None

Recommendation and Vote: The motion PASSED unanimously. Rep. Moore moved that HB 144 be placed on the Consent Calendar. The motion PASSED unanimously.

HEARING ON HB 124

Presentation and Opening Statement by Sponsor: Rep. Robert Clark, House District 31, presented a written opening statement (Exhibit 3).

List of Testifying Proponents and What Group They Represent:

Lt. Col. Bob Griffith, Montana Highway Patrol

List of Testifying Opponents and What Group They Represent:

None

Testimony:

LT. COL. GRIFFITH, proponent, said he wanted to assure the committee that the Highway Patrol supports HB124. He said they have nine female patrol officers on the force right now and they want to assure these women that they want them and love them and will look after them as fathers and brothers.

Questions From Committee Members:

REP. PHILLIPS asked Rep. Clark if he knew what the cost would be to change the long list of codes referenced in the bill. He said there was no mention by the Legislative Council when he was given the bill of a fiscal note. REP. NELSON said he had the same concern and had counted 77 different code sections to be changed. He said that in court actions now, terms such as "patrolman" are generic terms referring to the general employees and they are not sexist and he sees no reason to change the sections at a considerable cost.

Closing by Sponsor:

Rep. Clark said he thought that the code changes are long over due and should have been done a number of years ago when female officers were first being hired.

DISPOSITION OF HB 124

Motion: Rep. Cocchiarella moved HB 124 DO PASS.

Discussion: CHAIRMAN BROWN asked Lois Menzies to clarify the question that was raised on the cost of doing this. Ms. Menzies said that she talked to the Code Commissioner about the cost associated with making the change. The Code Commissioner explained that it was a simple matter with the computer operator to search for the term "patrolman" and simply replace it with "patrol officer". There would be minimal cost involved in printing the change. It would be difficult to do a fiscal note on the bill due to the minimal cost. There was more discussion regarding the cost of the bill, the belief that patrolman is a generic term, and that the whole thing being a waste of time and money, however minimal.

Amendments and Votes: None

Recommendation and Vote: A roll call vote was taken. The motion PASSED 11 - 7 with Reps. Campbell, DeBruycker, Nelson, O'Connell, Roth, Spring and Westlake voting no.

HEARING ON HB 74

Presentation and Opening Statement by Sponsor: Rep. John Cobb, House District 42, said his bill is a "clean up bill" introduced at the request of the Department of Social and Rehabilitation Services. It concerns state treasury fund accounts and interaccount loans. Under current law, the Department may main positive cash balances with long-term repayment of a loan only in the federal special revenue fund. This bill permits the Department to maintain positive cash balances with long-term repayment in the other special revenue fund as well. Section 3 coordinates this bill with LC 468, which eliminates the other special revenue fund category; if LC 468 is approved, this bill will be amended to permit the Department to maintain a positive cash balance with long-term repayment in the state special revenue fund. The bill has an immediate effective date.

List of Testifying Proponents and What Group They Represent:

None

List of Testifying Opponents and What Group They Represent:

None

Questions From Committee Members:

None

Closing by Sponsor: None

DISPOSITION OF HB 74

Motion: Rep. Russell moved HB 74 DO PASS.

Discussion: None

Amendments and Votes: Lois Menzies explained a small amendment to the committee (Exhibit 8). Rep. Davis moved that the technical amendment to the bill (Exhibit 8) DO PASS. The motion PASSED unanimously.

DAILY ROLL CALL

STATE ADMINISTRATION COMMITTEE

51th LEGISLATIVE SESSION -- 1989

Date 1-19-89

NAME	PRESENT	ABSENT	EXCUSED
Rep. Jan Brown, Chairman	✓		
Rep. Helen O'Connell, Vice Ch.	✓		
Rep. Vicki Cocchiarella	✓		
Rep. Ervin Davis	✓		
Rep. Floyd "Bob" Gervais	✓		
Rep. Janet Moore	✓		
Rep. Angela Russell	✓		
Rep. Carolyn Squires	✓		
Rep. Vernon Westlake	✓		
Rep. Timothy Whalen	✓		
Rep. Bud Campbell	✓		
Rep. Duane Compton	✓		
Rep. Roger DeBruycker	✓		
Rep. Harriet Hayne	✓		
Rep. Richard Nelson	✓		
Rep. John Phillips	✓		
Rep. Rande Roth	✓		
Rep. Wilbur Spring, Jr.	✓		

STANDING COMMITTEE REPORT

January 19, 1989

Mr. Speaker: We, the committee on State Administration report that HOUSE BILL 124 (first reading copy -- white) do pass .

Signed: _____
Jan Brown, Chairman

STATE ADMINISTRATION COMMITTEE

JAN BROWN CHAIRMAN

EXHIBIT 3
ATE 1-19-89
HB 124

Mr. Chairman, members of the Committee. For the record my name is Representative Robert Clark from H.D. 31. I come before you today with what is basically a housecleaning bill H.B. 124. I am carrying this bill at the request of the Department of Justice and all it will do is change the reference from patrolman or patrolmen to patrol officer wherever it appears in the Montana Codes Annotated.

We have had female officers in our organazition for 10 years now so it is probably time we updated our laws to reflect that, cause I think they are here to stay and we do accept that fact. I ask your support in passing this bill. Thank you.

VISITORS' REGISTER

STATE ADMINISTRATION COMMITTEE

BILL NO. 124 DATE January 19, 1989

SPONSOR REP. CLARK

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Bob Griffith	Hiway Patrol	X	
Bob Clark	H. D. 31	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

ROLL CALL VOTE

STATE ADMINISTRATION COMMITTEE

DATE 1-1989 BILL NO. HB 124 NUMBER 1

NAME	AYE	NAY
Jan Brown	✓	
Bud Campbell		✓
Vicki Cocchiarella	✓	
Duane Compton	✓	
Ervin Davis	✓	
Roger DeBruycker		✓
Floyd "Bob" Gervais	✓	
Harriet Hayne	✓	
Janet Moore	✓	
Richard Nelson		✓
Helen O'Connell		✓
John Phillips	✓	
Rande Roth		✓
Angela Russell	✓	
Wilbur Spring, Jr.		✓
Carolyn Squires	✓	
Vernon Westlake		✓
Timothy Whalen	✓	

TALLY 11 7

Judy Burggraff
Secretary

Jan Brown
Chairman

MOTION: Do pass.

Form CS-31
Rev. 1985

Form CS-32
Rev. 1985

STATUS SHEET

51st LEGISLATIVE SESSION

STATE ADMINISTRATION COMMITTEE

BILL NUMBER	ENTERED COM. DATE	DATE CONSIDERED	OUT OF COM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMENDED DATE	DO NOT PASS AS AMENDED DATE	BE CONCURRED IN DATE	BE NOT CONCURRED IN DATE	BE CONCURRED IN AMENDED DATE	BE NOT CONCURR IN AS AMENDE DAT.
HB 2	1/13/89	3/9/89	3/9/89					3/9/89			EFF. DATE 3/22/89
HB 11	1/13/89	3/9/89	3/9/89						3/9/89		KILLED IN (S) ST. AD
HB 37	1/13/89	1/20/89	1/23/89					1/23/89			EFF. DATE 2/24/89
HB 68	1/17/89	3/8/89	3/8/89					3/8/89			EFF. DATE 10/1/89
HB 62R	1/19/89	Referred to State Ad in error - Returned to Bills Coord. 1/20/89									X
HB 77	1/20/89	3/10/89	3/10/89					3/10/89			EFF. DATE 10/1/89
HB141	1/23/89	3/1/89	3/1/89					3/1/89			EFF. DATE 7/1/89
HB 89	1/23/89	3/1/89	3/1/89							3/1/89	EFF. DATE 3/3/89
HB 124	1/25/89	3/8/89	3/8/89					3/8/89			EFF. DATE 10/1/89
HB 142	1/25/89	3/6/89	3/6/89					3/6/89			EFF. DATE 10/1/89
HB 144	1/25/89	3/10/89	3/10/89					3/10/89			EFF. DATE 10/1/89
HB167	1/26/89	3/2/89	3/3/89							3/3/89	EFF. DATE 3/31/89
HB228	1/30/89	3/8/89	3/8/89					3/8/89			EFF. DATE 3/23/89
HB 128	1/31/89	3/13/89	3/13/89					3/13/89			EFF. DATE 10/1/89

se a separate sheet for Senate Bills, House Bills, and Resolutions.

HOUSE BILLS

come to mind, especially since she is also an election administrator, is that she thinks they need to be able to be assured that their election ballots and those type of forms are accurate. She indicated they do not have a problem with either of their printers, because she has seen both of their quality, but noted she does think that, because of the computers, they will be doing more of their own form printing.

Closing by Sponsor:

Representative Harrington stated that, in these communities, there is a political reality that they will still go to the newspapers with much of their printing, and he thinks that will be worked out. He indicated he does not think this bill is going to hurt anybody, but he thinks it does open it up, and that the time has come for this type of legislation to aid these smaller counties, so that they, too, can fulfill their obligations, as far as printing contracts. He indicated he hopes the committee will give this bill a do pass.

Vice Chairman Hofman announced the hearing on HB365 as closed.

HEARING ON HB 124

Presentation and Opening Statement by Sponsor:

Representative Bob Clark thanked Vice Chairman Hofman for moving the hearing on HB124 to the bottom of the list so that he could attend the news conference and reception for Colonel Griffith, who was appointed to head the Highway Patrol. Representative Clark then advised the committee that Colonel Griffith asked him to convey his regrets that he would not be here to testify on this bill because of this appointment.

Representative Clark indicated this bill was requested by the Department of Justice, and that HB124 merely changes the code throughout the Montana Codes Annotated from "patrolman" to "patrol officer", patrol officer being a non-gender term. He stated this came about as a result of the highway patrol now having a number of female patrol officers. He indicated they have had female officers for about 10 years, that this probably should have been done some time ago, and was overlooked. He noted they have about 10 female officers now and, in order to keep up with the times, they are requesting that this change be made in the Codes. He testified that there is no cost to these changes, noting that, in talking to the

people involved with this, the Codes will be reprinted, anyway, and it is a matter of just putting the new wording in there. He reiterated that there is no cost associated with this bill.

Representative Clark indicated that Assistant Attorney General Funk was going to try to be here, that he had another committee hearing and was going to try to switch back and forth, noting that, obviously, he did not make it.

List of Testifying Proponents and What Group they Represent:

None.

List of Testifying Opponents and What Group They Represent:

None.

Questions From Committee Members:

None.

Closing by Sponsor:

Representative Clark stated that the female officers they have are doing a good job, and he thinks they deserve the recognition, whatever recognition they can give them, and asked for the committee's concurrence on the bill.

DISPOSITION OF HB 124

Discussion:

Senator Harding offered a motion that HB124 be concurred in.

Recommendation and Vote:

Motion passed by the committee that HB124 be concurred in.

OTHER BUSINESS

Discussion: HB 345

Ms. McClure distributed copies of the proposed amendments to HB345, a copy of which is attached as Exhibits 15, 16, 17 and 18, and stated that the amendments were prepared when the committee was talking about 4 options. She indicated that,

ROLL CALL

STATE ADMINISTRATION COMMITTEE

51ST LEGISLATIVE SESSION

DATE: March 8, 1989

NAME	PRESENT	ABSENT	EXCUSED
HUBERT ABRAMS	✓		
JOHN ANDERSON, JR.	✓		
ESTHER BENGTSON	✓		
WILLIAM E. FARRELL			✓
ETHEL HARDING	✓		
SAM HOFMAN	✓		
PAUL RAPP-SVRCEK	✓		
TOM RASMUSSEN	✓		
ELEANOR VAUGHN	✓		

SENATE STANDING COMMITTEE REPORT

March 8, 1989

MR. PRESIDENT:

We, your committee on State Administration, having had under consideration HB 124 (third reading copy -- blue), respectfully report that HB 124 be concurred in.

Sponsor: Clark (Rasmussen)

BE CONCURRED IN

Signed: _____
William E. Farrell, Chairman

3/8/89
3:49 pm

scrhb124.308